

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 16, 2004

DIVISION TWO

B138924 People (Not for Publication)
v.
Orane

The judgment is affirmed.

Nott, Acting P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B168634 Zavala et al. (Not for Publication)
v.
Takata Corp. et al.

The judgment appealed from is reversed in part. It is reversed to the extent that it dismisses counts 2 and 5 and strikes the request for attorney fees, paragraph (b)(iii) of the prayer (concerning disgorgement and restitution), and class allegations. In all other respects, the judgment is affirmed. Appellants shall recover their costs of appeal from respondents.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

December 16, 2004 (Continued)

DIVISION TWO (Continued)

B173601 People v. Carter (Not for Publication)

The Court:

The order under review is affirmed.

Boren, P.J., Nott, J., Doi Todd, J.

B169881 Slocum (Not for Publication)
v.
Carr

The judgment of the trial court is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B169895 Mineo (Not for Publication)
v.
Carr

The judgment of the trial court is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
Doi Todd, J.

December 16, 2004 (Continued)

DIVISION TWO (Continued)

B174832 Los Angeles County, D.C.S.
v.
Roland I.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B174354 Los Angeles County, D.C.S.
v.
Danny D., Sr.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

B170571 People v. Arellano (Not for Publication)

The judgment is modified to reflect a sentence of life, rather than life without possibility of parole, for the premeditated attempted murder conviction (count 2). As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting this change and forward it to the Department of Corrections.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B171345 People (Not for Publication)
v.
Franco

The judgment is modified by staying execution of sentence on appellant's conviction for the second degree robbery of Chacon (count three) pending completion of his sentence on his conviction for carjacking (count one) and the second degree robbery of Cillalobos (count four), such stay then to become permanent, and, as modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modification.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B171176 People (Not for Publication)
v.
Mitchell

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B176891 Los Angeles County, D.C.S. (Not for Publication)
v.
F.G. and A. K.

The appeal is dismissed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B167528 King & Ferlauto and Thomas M. Ferlauto
 v.
 Ernesto Clark

Filed order vacating submission order of November 2, 2004. This case will be deemed submitted upon the filing of a written order from the bankruptcy court advising this court that the automatic stay has been lifted with respect to the claims presented in this appeal..

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Epstein, P.J., Hastings, J., Curry, J., Grimes, J. (Assigned) and S. Veverka, Deputy Clerk.

Each of the following:

B171427 People v. Lau
B173283 Cal-Asia Property Development Co., et al.
B171698 Armstrong v. Reicheun

Argument waived, cause submitted.

B172450 Lopez
 v.
 Scott Robinson Honda, et al.

Merits:
Argued by John Lattin for appellants and by Marc J. Appell for respondent.
Cause submitted.

DIVISION FOUR (Continued)

B172194 Israel et al.
 v.
 California Fair Plan

Merits:
Argued by Jeffrey D. Diamond for appellants and by Raul L. Martinez for respondent. Cause submitted.

B171402 Premier Medical Management Systems, Inc.
 v.
 Truck Insurance Exchange

Merits:
Argued by Douglas D. Winter for appellant and by Mitchell C. Tilner for respondent. Cause submitted.

B167048 People
 v.
 Blue

Merits:
Argued by Marylou Hillberg for appellant and by A. Scott Hayward for respondent. Cause submitted.

B172586 Hadley, et al.
 v.
 Viera et al.

Merits:
Argued by Arthur J. Travieso for appellants and by John M. Heurlin for respondents. Cause submitted.

DIVISION FOUR (Continued)

B172819 C3 Entertainment

v.

Paul, Hastings, Janofsky & Walker, et al.

Merits:

Argued by Robert N. Benjamin for appellant, by Charles W. Cox for respondent Paul Hastings Janofsky & Walker and by Cheryl A. Orr for respondent Hanna & Morton. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, Acting P.J., Hastings, J., Curry, J. and V. Guzman, Deputy Clerk.

B168903 Salas et al.

v.

Viking Insurance Company

Merits:

Argued by Douglas G. Benedon for appellants and by John S. Curtis for respondent. Cause submitted.

B172292 Tridus International

v.

Li

Merits:

Argued by Robert S. Altagen for appellant and by J. Ronald Ignatuk for respondent. Cause submitted.

DIVISION FOUR (Continued)

B174102 Goldberg
 v.
 Warner/Chappell Music et al.

Merits:
Argued by Ricardo P.Cestero for appellant and by Richard B. Sheldon for respondents. Cause submitted.

B172318 Donaldson et al.
 v.
 City of Long Beach et al.

Merits:
Argued by Robert Newman for appellants and by Patrick Cathcart for respondents. Cause submitted.

B170391 Renfrew
 v.
 Calnorth Reporting Service

Merits:
Argued by Yvonne M. Renfrew in propria persona and by Jason D. Carter for respondent. Cause submitted.

B169713 O'Leary
 v.
 Antelope Valley Union High School District

Merits:
Argued by Thomas J. Johnston for appellant and by Mark L. Levinson for respondent. Cause submitted.

Court adjourned.

December 16, 2004 (Continued)

DIVISION FOUR (Continued)

B172480 People
v.
Shahmohamadian

Filed order denying petition for rehearing and modifying opinion. (No change in the judgment)

DIVISION SIX

B175750 People (Not for Publication)
v.
Whitmore

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B172640 People (Not for Publication)
v.
Ochoa

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

December 16, 2004 (Continued)

DIVISION SIX (Continued)

B173186 People (Not for Publication)
v.
Hernandez

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B171264 Hanson Aggregates Mid-Pacific, Inc. (Not for Publication)
v.
Department of Industrial Relations,
Division of Labor Standards Enforcement

The judgment is affirmed. Respondent is entitled to its costs on appeal.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B173005 Duane (Not for Publication)
v.
Cleland

The injunction is affirmed. Costs on appeal are awarded to respondent.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SIX (Continued)

B174007 Weyrich (Not for Publication)

v.

California Department of Corrections et al.

The judgment is affirmed. Costs to respondent.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

B173773 People (Not for Publication)

v.

Lopez

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B169161 People

v.

Gutierrez

Filed order granting petition for rehearing.

B169161 People (Certified for Partial Publication)

v.

Gutierrez

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

December 16, 2004 (Continued)

DIVISION SIX (Continued)

B167543 People (Certified for Publication)
v.
Callahan

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B172132 People (Not for Publication)
v.
Bailey et al.

The judgment against Bailey is affirmed. The judgment against Howard is reversed as to count 33 for assault with a firearm and, in all other respects, affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

Add to the minutes of October 29, 2004

DIVISION FIVE

B170904 People
 v.
 Filemon Solano

Filed order dated October 29, 2004, vacating submission order of July 6, 2004. CRC 23 (e) (1). Cause resubmitted this date.